

REMARKS

The Examiner's Advisory Action of November 20, 2008 presents the examination of claims 31-35.

The Advisory Action indicates that Applicants' previous Amendment filed October 29, 2008 has not been entered as raising new issues for consideration, although the paper further indicates that, were the Amendments entered, they would overcome all of the rejections presented in the Final Office Action.

The new issue for consideration relates to the statement in the claims that the peptides of the invention are from 9 to 11 amino acids in length, but the recited SEQ ID NO: 8 is 10 amino acids long and no deletion is contemplated.

Accordingly, Applicants present here a new response to the Final Office Action, revising the claims to recite an appropriate length of peptide. Arguments presented in the prior Amendment are repeated for entry into the record.

Applicants submit that the present Amendment overcomes all of the standing rejections and places the application into condition for allowance. Entry of the Amendment is therefore respectfully requested.

Amendments

Claims 31 and 32 are amended to recite a length of the peptide of "10 or 11 amino acids". Support for this amendment is present in the specification, at least at page 12, line 4, taken together with page 12, line 17.

Claim objection

Claims 31-35 are objected to as encompassing "non-elected" subject matter following restriction of the claims. Claims 31-35 have been amended to recite the elected subject matter of SEQ ID NO: 8.

Rejection under 35 USC § 102

Claims 31-35 are rejected under 35 USC § 102(e) as anticipated by Straten WO '980. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are requested.

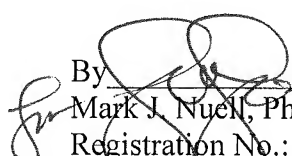
The present claims 31-35 recite SEQ ID NO: 8 as the reference sequence. The present invention is thus distinct from what is disclosed by Straten WO '980 and so the instant rejection should be withdrawn.

Applicants submit that the present application well-describes and claims subject matter that is free of the prior art. The favorable actions of withdrawal of the standing rejections and allowance of the pending claims are requested.

Should there be any minor matter precluding allowance of the application that can be addressed by a telephone conversation, the Examiner is requested to contact the undersigned, at the telephone number given below, to discuss the matter and, if necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: November 29, 2008

Respectfully submitted,

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